

REMARKS

After entry of the above amendments, the claims pending in the subject application are 1, 3-5, 7-17, and 19-25. Reconsideration of this application based on the Amendments and Remarks presented herein is respectfully requested.

In the claims, the use of "at least one of" was clarified by changing the word that signifies the end of the list, "and", to "and/or". The "and" was previously used to indicate that one member from the list could be selected, or that one or more from the list could be selected. To prevent misinterpretation of the "at least one of" phrase, the "and/or" is used to indicate that one member of the list can be selected or that more than one member of the list can be selected.

35 U.S.C. §103 REJECTIONS

Claims 1, 3-17, and 19-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,288,146 to Blum et al. in view of United States Patent No. 6,313,250 to Blum et al. Also, claims 1, 3-17, and 19-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 97/25387 in view of WO 97/25365. Because United States Patent No. 6,288,146 is the national stage of WO 97/25387 and because United States Patent No. 6,313,250 is the national stage of WO 97/25365, the discussion of these rejections will be combined. For convenience, references herein will be to the U.S. patents because they are in the English language.

It was requested that inventor(s) and invention dates for each claim be given so that the applicability of 35 U.S.C. §103(c) could be considered. The inventor(s) and invention dates for each claim are not relevant for §103(c) in this case. §103(c) is only applicable if the reference qualifies as prior art under 35 U.S.C. §102(e), (f), or (g). The international filing date for the present application was 21 January 2000. United States Patent No. 6,288,146 is the national stage of WO 97/25387, which published on July 17, 1997, and United States Patent No. 6,313,250 is the national stage of WO 97/25365, which published on July 17, 1997. July 17,


1997 is more than one year before January 21, 2000. Therefore, these references are potentially a reference under 35 U.S.C. §102(b), in which case, §103(c) is not applicable.

The subject matter from allowable claim 18 has been added to claim 1 as at least one of an alternative selection of two possible selections. In the other selection, the ratio of (A) to (B) has been added. Support for the ratio of (A) to (B) can be found on page 33, lines 4-9. When present in this ratio, (A) is not present in a minor amount.

In Blum '146 at column 4, lines 6-8, it is stated that reactive diluents can be added in minor amounts. There is no disclosure or suggestion of any amount other than minor amounts. Because claim 1 incorporates the subject matter from allowable claim 18 and/or provides for the ratio of (A) to (B) not in a minor amount, it is respectfully submitted that claims 1, 3-17, and 19-25 are patentable over WO 97/25387/United States Patent No. 6,288,146 to Blum et al. in view of WO 97/25365/United States Patent No. 6,313,250 to Blum et al.

In view of the amendments and remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the 35 USC §103 rejections, and request that a Formal Notice of Allowance be issued for claims 1, 3-5, 7-17, and 19-25. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,


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Date: 18 October 2004